IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21368 of 2004

Between:

1 Sura Padma Kala W/o Peda Veeraiah
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
2 Pokala Manemma W/o Sivaiah
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
3 Nukam Reddy Atchamma W/o Pella Venkataiah
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
4 Sura Sabbakka W/o Mallaiah
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
5 Gopavaram Padmavatamma W/o Venkata Rami Reddy
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
6 Sura Subbamma W/o Chinnapu Reddy
R/o Nagesettipalle Village B. Mattam, Mandalam, Kadapa District
7 Gollapalli Ramakka W/o Balaiah
REkhalakunta Village B. Mattam Mandal, Kadapa District
8 Peddi Reddy Shamalamma W/o Rama Sagar
REkhalakunta Village B. Mattam Mandal, Kadapa District
9 Peddi Reddy. Saraswathamma W/o Raghavaiah
REkhalakunta Village B. Mattam Mandal, Kadapa District
10 Peddalapalli Lakshmamma W/o Chennappa
Rekhalakunta Village B. Mattam Mandal, Kadapa District
11 Nagipogu Gopalamma W/o Chandrayadu
Rekhalakunta Village B. Mattam Mandal, Kadapa District
12 Nagipogu Anandamma W/o Prakasam
Rekhalakunta Village B. Mattam Mandal, Kadapa District
13 Peddulapalli Meeramma W/o Chennappa
Rekhalakunta Village B. Mattam Mandal, Kadapa District
14 Peddulapalli Lakshmamma W/o Chinnaiah
Rekhalakunta Village B. Mattam Mandal, Kadapa District

..... PETITIONERS

AND

1 Government of A.P., rep by The Principal Secretary Revenue Department Secretariat Buildings, Hyderabad
2 The District Collector, Kadapa, Kadapa District
3 The Revenue Divisional Officer, Rajampet, Kadapa, District
4 The Mandal Revenue Officer, B.Mattaram, Kadapa District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2nd and 3rd in making attempts to dispossess the petitioners from their respective agricultural lands acquired through pattas respectively of petitioners 1 to 6 an extent of 1.8, 1.50 and 1.44 Acares in Sy. No's 4/4a, 3/1, 3/3, 37/1, 37/2, 37/3, Patta No's 483, 148, 143, 153, 156, 159, situated in Nagisettipalle Village B. Matam Mandal, Kadapa District and Petitioners 7 to 14 lands in an Extn 1.24, 1-56, 1-57,1-50,1-00, are in Sy. No. 561/1, 561/2, 561/3, 561/4, 561/6, 561/7, 561/11, and patta No. 466, 460, 459, 465, 468,455,457. of Rekhalalkunta Village of Bhimattam Mandal of Kadapa District respectively with out any notice as illegal arbitrary and unconstitutional and consequently direct the respondents not to dispossess the petitioners from their respective agricultural land by canceling Pattas.

For the Petitioner: MR.N.RAVI PRASAD, Advocate.

For the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing on behalf of the respondents and at their request the writ petition itself is disposed of at the stage of admission.

The petitioners claim to be in possession and enjoyment of Ac.1-80 cents of land in Survey No.4/4A of Virasavanchi village, Ac.1-50 cents in S.No.3/1, Ac.1-50 cents in S.No.3/3, Ac.1-50 cents in S.No.37/1, Ac.1-50 cents in S.No.37/2, Ac.1-44 cents in S.No.37/3 of Nagisettipalle village, Ac.1-24 cents in S.No.561/4, Ac.1-56 cents in S.No.561/3,
Ac.1-56 cents in S.No.561/11, Ac.1-57 cents in S.No.561/1, Ac.1-56 cents in S.No.561/6, Ac.1-50 cents in S.No.561/7 and Ac.1-00 in S.No.561/2 of Rakhalakunta village, B. Mattam Mandal of Kadapa District, by virtue of the pattas bearing Nos.483, 148, 143, 153, 156, 159, 466, 460, 459, 465, 468, 455 and 457 granted to them respectively. Their grievance is that the respondents, without following the due process of law and without canceling their pattas in accordance with law, are trying to dispossess them from their respective extents of land, which is illegal and arbitrary. Seeking a direction to the respondents not to dispossess them from their respective extents without due process of law, they filed the present writ

petition.

Any cancellation of the pattas granted to the petitioners and their eviction from the land in their occupation, shall only be after following the due process of law, in that, the respondents shall issue notice to the petitioners calling for their explanation, after considering the explanation that may be submitted by them, pass appropriate orders, and till such exercise is undertaken, status quo obtaining as on today shall be maintained by the parties as regards the possession of the petitioners. If the respondents have already followed the due process of law in the matter, they are liberty to take consequential steps in accordance with the decision they have taken.

Accordingly, the writ petition is disposed of at the stage of admission.

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N.V. RAMANA, J

Date: 25-01-2005

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To

1 The Principal Secretary Revenue Department, Government of A.P., Secretariat, Secretariat Buildings, Hyderabad
2 The District Collector, Kadapa, Kadapa District
3 The Revenue Divisional Officer, Rajampet, Kadapa, District
4 The Mandal Revenue Officer, B.Mattaram, Kadapa District

5 Two CCs. to the Government Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

6 Two CD copies.